

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

West Desert District Office
2370 South Decker Lake Blvd.
West Valley City, Utah 84119
ph: (801) 977-4300; Fax: (801) 977-4397
www.ut.blm.gov/saltlake_fo



In Reply Refer To:
3809 (UTW011)
UTU-77772

FEB 19 2014

RECEIVED

FEB 21 2014

DIV. OF OIL, GAS & MINING

Certified Mail No.: 7013 0600 0001 8148 0124
Return Receipt Requested

DECISION

Peter Allred
Ultradent Products
505 W 10200 S
South Jordan, Utah 84095

Plan of Operations Termination
& Reclamation Required
43 CFR § 3809.420(b)(3)

Dear Mr. Allred:

The current regulations at 43 CFR 3809.424(a)(3) state that if your operation is inactive for 5 consecutive years, "Bureau of Land Management (BLM) will review your operations and determine whether BLM should terminate your plan of operations (Plan) and direct final reclamation and closure."

On March 20, 2007, you requested the Utah Division of Oil, Gas & Mining (UDOGM) to inspect and close the mining operations conducted by Ultradent Products Inc., located in T. 10 S., R. 12 W., Sections 5 and 32, Salt Lake Base & Meridian serialized UTU-77772 (S0450057, UDOGM). An inspection was conducted by the UDOGM on May 14, 2008, indicating that no reclamation had been initiated and they were unable to release the site at that time.

Members of my staff conducted 8 inspections at this site from June 5, 2007 to June 8, 2013, and each time it was documented with reports and photographs that no additional mining activity had taken place. An inspection by the UDOGM on September 9, 2009, stated the trailer, porta-potty and fencing were removed from section 32, but that additional trash needed to be cleaned up and the site needed re-grading.

Also, year-end reports submitted to the UDOGM from 2001 to 2006, state that approximately 22.5 tons of ore was removed and approximately 200 tons of waste was moved during your mining activities at this site, and from 2007 to 2013, you reported that no ore was removed and no waste was moved from this site.

Therefore, due to the previous amount of mining activity conducted under this Plan from 2001 to 2006, the inactivity since 2007, and the request from you to have UDOGM close the site, the BLM has determined to terminate your Plan and direct you to conduct final reclamation.

Failure to conduct the required reclamation may initiate forfeiture of your financial guarantee under 43 CFR § 3809.595. BLM would then use your forfeited financial guarantee to reclaim the area. If the amount of the financial guarantee is inadequate to cover the cost of reclamation, BLM may complete the reclamation and the operator and all other responsible persons are liable for the cost of such reclamation.

Within 30 days of receipt of this decision, you or your representative need to contact this office and schedule a plan for the final reclamation of the disturbances created under this Plan. The reclamation plan and schedule for the reclamation must be accepted by the Salt Lake Field Office (SLFO) prior to commencing any reclamation work on the ground.

If you fail to submit a reclamation plan and schedule, for the outstanding surface disturbance at this site, you will be in noncompliance. A noncompliance order will be issued and appropriate enforcement actions taken.

If you do not agree, this decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with the regulations contained at 43 CFR Part 4. Within 30 days of this decision, a notice of appeal must be filed in this office SLFO, 2370 South Decker Lake Blvd, West Valley, UT 84119. If a statement of reasons for the appeal is not included with the notice, the statement must be filed with the IBLA, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the authorized officer, SLFO.

If you wish to file a petition for stay pursuant to 43 CFR Part 4.21(b), the petition for stay should accompany your notice of appeal and shall show sufficient justification based on the following standards:

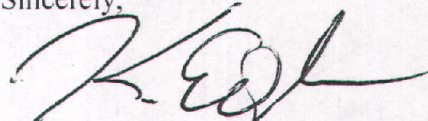
1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of irreparable harm to the appellant or resources if the stay is not granted, and
4. Whether the public interest favors granting the stay.

If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the Authorized Officer.

A copy of the notice of appeal, any statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken and on the Office of the Regional Solicitor, U.S. Department of the Interior, 6201 Federal Building, 125 South State Street, Salt Lake City, Utah 84138-1180, not later than 15 days after filing the document with the Authorized Officer and/or IBLA.

If you have any questions regarding this matter, contact Larry Garahana at (801)977-4371.

Sincerely,



Kevin E. Oliver
District Manager